

Docket No. 19789-8

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA, 22313-1450 on March 23, 2005.

Stephan B. Borch

PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: van Ooij et al. : Paper No.:
Serial No.: 10/031,731 : Group Art Unit: 1742
Filing Date: June 6, 2002 : Examiner: Kastler, Scott R.
For: **Acyloxy Silane Treatments for Metals**

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, The University of Cincinnati, is the owner of the entire right, title and interest in the above-identified application Serial No. 10/031,731, by virtue of the Assignment from the inventors recorded at Reel 013051, Frame 0806, on July 03, 2002.

Petitioner is also the owner of the entire right, title and interest in U.S. Patent No. 6,827,981, by virtue of the Assignment from the inventors recorded at Reel 010801, Frame 0277, on May 2, 2000.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application Serial No. 10/031,731 which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as shortened by any terminal disclaimer filed prior to the grant, of U.S. Patent No. 6,827,981. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 10/031,731 shall be enforceable only for and during such

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period that it and U.S. Patent No. 6,827,981 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

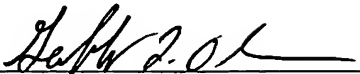
In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No. 6,827,981, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The evidentiary documents for the assignments have been reviewed by the undersigned, and the undersigned certifies that to the best of his/her knowledge and belief, title is in the assignee to take this action. The undersigned is an attorney or agent of record and is empowered to act on behalf of the assignee.

The undersigned hereby declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge the \$130.00 fee required under 37 CFR §1.20 (d) for submission of this Terminal Disclaimer to the Visa credit card account indicated on the attached Form PTO-2038.

Respectfully submitted,

By 
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